

**BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 06-021

A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #0602-601 (DUNN) TO PERMIT THE OPERATION OF A SPECIAL EVENTS FACILITY IN A "A-1" AGRICULTURE DISTRICT

WHEREAS, Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19-101; and

WHEREAS, The Franklin County Board of County Commissioners did adopt Resolution #23-91 creating the Franklin County Planning Commission as provided in K.S.A. 12-744; and

WHEREAS, the Franklin County Planning Commission did publish notice on February 23, 2006 that a public hearing would be held to consider Special Use Permit application #0602-601 (Dunn) as required by K.S.A. 12-757 and Article 17, Section 17-3 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did on March 16th, 2006 hold a public hearing for the consideration of Special Use Permit Application #0602-601 for the operation of a Special Events Facility in an "A-1" (Agriculture) Zone; and

WHEREAS, the Planning Commission, after reviewing and considering all reports and testimonies did, by a unanimous vote of those present, approve said Special Use Permit based on certain findings and subject to certain conditions; and

WHEREAS, the Board of County Commissioners of Franklin County, after duly reviewing the recommendation of the Planning Commission together with all public comments for and against said Special Use Permit finds:

1. That the Special Use Permit is consistent with the County Zoning Regulations.
2. That the Special Use Permit is in conformance with and would further enhance the County Comprehensive Plan.
3. That as conditioned, the Special Use Permit will not overburden the County roads and other public services.
4. That as conditioned, the Special Use Permit will not unduly affect the character of the surrounding community.
5. That as conditioned, the Special Use Permit will not impact property values of surrounding properties.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby approve Special Use Permit Application #0602-601 (Dunn) to permit the operation of a Special Events Facility in an "A-1" Agriculture Zone as follows:

Section 1: Special Use Permit #0602-601 (Dunn) is granted for the following described property:

Tract 1:

The Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 28, Township 15 South, Range 20 East of the 6th P.M., Franklin County Kansas.

Tract 2:

The North Half (N ½) of the Southeast Quarter (SE ¼) of Section 28, Township 15 South, Range 20 East, containing 80 acres, more or less, Franklin County Kansas.

Tract 3:

The Southwest Quarter (SW ¼) of Section 27, Township 15 South, Range 20 East, containing 160 acres, more or less, Franklin County Kansas and the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼) of Section 27, Township 15 South, Range 20 East of the 6th P.M., Franklin County Kansas.

Section 2: The real property described above shall be authorized to operate a bed & breakfast facility including a Special Events Facility, walking/riding trails and incidental sales pursuant to the Franklin County Zoning Regulations and the following conditions:

1. That the Special Events and Bed & Breakfast/Boarding Facility shall obtain and adhere to any requirements of the State of Kansas.
2. That all sanitation facilities shall comply with the Franklin County Sanitation Code and any requirements of the Kansas Department of Health and Environment.
3. That all off-street parking shall be maintained with an all weather surface.
4. That all vehicle driveways shall be maintained with an all weather surface.
5. That the Special Events Facility shall be operated by the owner and household members and there shall be no full time employees.
6. That structures used for the Special Events Facility shall comply with the State Fire Regulations.
7. That any new structures or remodeling of existing structures shall comply with the Franklin County Building Code.
8. That the Special Use Permit shall become null and void by operation of law if the Special Use Permit has not been initiated and utilized by commencing the activity at the specified site within one (1) year of the date of approval.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 5th day of April

2006. This action shall become effective upon publication in the official county newspaper.

/s/ Donald E. Waymire  
Donald E. Waymire  
Commissioner District 1

/s/ John E. Taylor  
John E. Taylor  
Commissioner District 2

/s/ Roy C. Dunn  
Roy C. Dunn  
Commissioner District 3

/s/ Donald C. Hay  
Donald C. Hay  
Commissioner District 4

/s/ Donald R. Stottlemire  
Donald R. Stottlemire  
Commissioner District 5

Received and recorded this the 5th day of April 2006.

/s/ Shari Perry  
Shari Perry  
County Clerk